

**LAW OFFICES OF SUSAN G. KELLMAN**  
25 EIGHTH AVENUE • BROOKLYN, NEW YORK 11217  
(718) 783-8200 • FAX (718) 783-8226 • SGK@KELLMANESQ.COM  
FELLOW, AMERICAN COLLEGE OF TRIAL LAWYERS

January 4, 2021

**ECF and Email**

Hon. Laura T. Swain  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

Re: *United States v. Ricardo Fabian*  
19 Cr. 566 (LTS)

Dear Judge Swain:

I write to update the Court regarding the progress of Ricardo Fabian's matter.

Since my appointment on September 30, 2020, pursuant to the Criminal Justice Act, I to discuss the facts of this case with Mr. Fabian and AUSA Nathan Rehn. I continue to review discovery and remain cautiously optimistic that we will be able to resolve this case pursuant to a plea agreement; however, the ongoing pandemic has made personal contact with Mr. Fabian challenging. Thus, we are not yet ready to proceed.

Accordingly, counsel respectfully requests that your Honor adjourn the status conference currently scheduled for Thursday, January 7, 2021, until a date and time convenient to your Honor in February 2021. I have discussed this request with AUSA Rehn and he consents to a further adjournment of Mr. Fabian's matter. Mr. Fabian has authorized counsel to consent to the exclusion of this additional time from the speedy trial calculation.

As always, your Honor's assistance with these matters is greatly appreciated.

Respectfully submitted,

/s/

Susan G. Kellman

cc: Nathan Rehn, Esq.  
Ricardo Fabian

The application is granted. The conference is adjourned to February 11, 2021, at 9:00 a.m. The Court finds pursuant to 18 U.S.C. §3161(h)(7)(A) that the ends of justice served by an exclusion of the time from today's date through February 11, 2021, outweigh the best interests of the public and the defendant(s) in a speedy trial for the reasons stated above.

SO ORDERED.

Dated: 1/4/2021

/s/ Laura Taylor Swain

Laura Taylor Swain, USDJ

